

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL J. McNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS' HEALTH AND
WELFARE FUND and NEW ENGLAND LABORERS'
TRAINING TRUST FUND; JAMES MERLONI, JR.,
as he is TRUSTEE, MASSACHUSETTS LABORERS'
PENSION FUND and MASSACHUSETTS LEGAL
SERVICES FUND; MARTIN F. WALSH, as he is
TRUSTEE, MASSACHUSETTS LABORERS'
ANNUITY FUND,

Plaintiffs

vs.

J. MICHAEL LANDSCAPING, INC.,
Defendant

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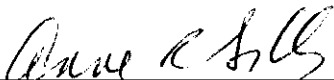
C.A. No.

AFFIDAVIT OF ANNE R. SILLS

1. My name is Anne R. Sills. I am an attorney with the law firm of Segal, Roitman & Coleman.
2. This firm has been involved in efforts to collect contributions owed the Massachusetts Laborers' Benefit Funds by J. Michael Landscaping, Inc. ("J. Michael") since on or about June 1, 2005.
3. I sent a demand letter to J. Michael via certified mail on June 2, 2005, seeking payment in full of the contributions and interest owed, plus all remittance reports for the period December, 2004 through the present. Upon information and belief, J. Michael has failed and refused to meet this demand.

4. I have also requested of Defendant's counsel that J. Michael cooperate with the Funds in setting up a date and time for an audit to be conducted of its payroll records for the relevant time period. Upon information and belief, J. Michael has thus far failed to contact the Funds to set up a date and time for an audit.


SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 29 DAY OF AUGUST, 2005.



Anne R. Sills, Esquire

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Affidavit has been served by first class mail upon the defendant's counsel, Paul J. Hogan at Hogan & Associates, 63 Chatham Street, Boston, MA 02109 this 2 day of August, 2005.



Gregory A. Geiman, Esquire